

C-1005

(W)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P.NO. 2149 /2002

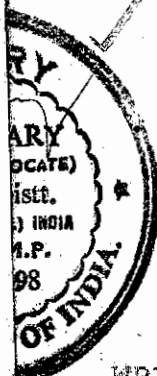
PETITIONER

: Shyam Lal Agrawal
S/o Late Jay Narayan Agrawal,
Aged about 70 years,
Director,
ABC Builders & Construction (P)
Limited,
Shyam Market, Pandri, Raipur
Distt. Raipur (CG).

VERSUS

RESPONDENTS

- 1) State of Chhattisgarh
Through the Secretary,
Urban Administration Develop-
-ment Department, DKS Bhawan,
Raipur (CG).
- 2) Municipal Corporation, Raipur
Through the Commissioner,
Municipal Corporation, Raipur.
- 3) The Director,
Town & Country Planning,
Raipur, District Raipur (CG).



P. R. No. 2293/r
Presented by Shri. S. Verma
dated 16.10.02

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF
I N D I A

- 1) Particulars of petitioner
As mentioned in the cause title above.
- 2) Particulars of respondents
As mentioned

✓ 10.02

(66)

आदेश पत्रक

मामला क्रमांक

WP No. 2149/02
सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>2/1/2004</u> Shri B.P. Sharma, counsel for the petitioner. Shri Ayaz Naved, Govt Advocate, for respondent Nos. 1 and 3. Shri Ashish Shrivastava, counsel for respondent No.2. Heard. Learned counsel for the petitioner submitted that on 31.10.1984 a lease agreement was executed between the petitioner and the Raipur Development Authority, by which 40,000 sq.ft. of land was allotted to the petitioner for 30 years. The lease was granted for the purpose of construction of cinema building. It is further submitted that on 28.01.1985 the petitioner filed an application alongwith the map seeking No Objection Certificate from the District Magistrate/Collector for starting the cinema theatre. The said application was not decided by the District Magistrate/Collector in time and the petitioner was compelled to approach the State authorities. It is also submitted that after much delay the District Magistrate/Collector has forwarded the application of the petitioner to the State and in response to the same on 07.09.1989 a letter was issued by the Government to the District Magistrate/Collector mentioning the fact that the application of the petitioner seeking No Objection Certificate	

[पीछे देखिये]

आदेश पत्रक

82

मामला क्रमांक सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	has been rejected and thereafter on 16.10.1989 a letter was sent by the District Magistrate / Collector informing that the No Objection Certificate as sought by the petitioner has been refused on the ground that it is for the commercial purpose. Learned counsel for the petitioner submitted that thereafter the petitioner had applied for commercial purpose and for change of lease deed. The lease deed for commercial purpose was granted but the map was not sanctioned by respondent No.1. It is further submitted that the petitioner has made various representations (Annexures P/5 and P/6) but they have not been decided so far. Having considered the facts and circumstances of the case and material on record, it is directed that if the petitioner makes a detailed representation within 15 days from today before the competent authority, it shall be considered and decided by the Secretary concerned or the competent authority within a period of two months thereafter, after hearing all the parties concerned. With the aforesaid observations, this writ petition stands disposed of at this stage with liberty to file a fresh case eventually arises. Certified copy as per rules.	Sd/- Fakhruddin Judge

[पीछे देखिये]